

**A FEMINIST ANALYSIS: TRANSFORMING AN
UNDERSTANDING OF CULTURAL PATRIARCHY,
MISOGYNY, AND RED FLAG WARNINGS OF VIOLENT
MEN'S NON-STATE TORTURE OF NOVA SCOTIAN WOMEN**

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A submission to Nova Scotia's [Mass Casualty Commission](#) concerning the 18-19 April 2020 mass casualty violence, specifically addressing intimate partner, gender-based, and family violence to provide meaningful recommendations to keep women and communities safe in the future

Submitted 19 August, 2022 via email: participation@masscasualtycommission.ca

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A Feminist Analysis: Transforming An Understanding of Cultural Patriarchy, Misogyny, and Red Flag Warnings of Violent Men's Non-State Torture of Nova Scotian Women

Jeanne Sarson and Linda MacDonald

Introduction

We applied as feminists, co-founders of Persons Against Non-State Torture, and granted participant status in the work of the Mass Casualty Commission (MCC) under the heading of “Gender-Based Organizations.”¹ The responsibilities include participating in topic-focused “policy roundtables...or provide a written submission at the close of the proceedings” (pp. 16-17),² which this is. We presented our oral participant submission July 22, 2022.³ We did not request legal counsel support from the MCC.

We also joined five other Nova Scotian women forming an ad hoc coalition of “Feminists Fighting Femicide (FFF),” calling for an inquiry that included a feminist analysis (McKinley, 2020), as a component of the MCC mandate. The town of Truro and Wayne Talbot, Chair, Truro Police Board, added “its collective voice to request an inquiry including a feminist analysis...to examine...how to reduce misogyny within our provincial culture, how to reduce and prevent male violence against women, and how to prevent femicide and mass shootings” (personal communication, July 2020). In addition, 8,102 people signed Eleanor Cowan’s “*Petition End Femicide and Misogyny in Nova Scotia. An Inquiry Now! Calling for a feminist analysis to the mass shooting!*” as illustrated in Figure 1.⁴ All were rejecting the initial proposal of a federal and provincial review, calling instead for an inquiry inclusive of a feminist analysis.

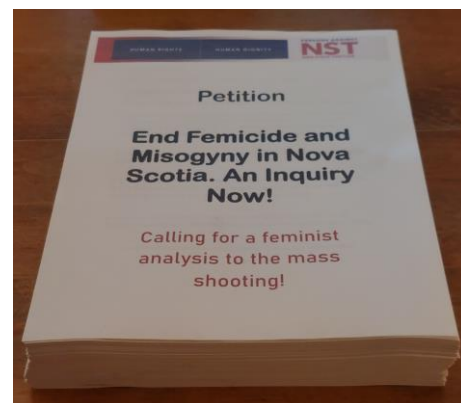


Fig. 1: Feminist analysis petition

A Feminist Analysis: Intimate Partner, Family, and Gender-Based Non-State Torture of Nova Scotian Women

This submission is specifically focused on our 29 years of professional ground-breaking grassroots science and independent feminist-based scholarship addressing non-State torture (NST) victimization of women and girls as a specific form of intimate partner, family, or gender-

¹ See <https://masscasualtycommission.ca/about/participants/#group-applicants>

² See https://masscasualtycommission.ca/files/documents/Mass_Casualty_Commission_Participation_Decision_May132021.pdf

³ See <https://masscasualtycommission.ca/calendar/event/77362/> under “Participant Submissions” our presentation is at the 5:45:45 mark.

⁴ See <https://rapereliefshelter.bc.ca/the-motive-is-misogyny-a-conversation-about-femicide/>

based violence. This work began here in Truro, Nova Scotia, in 1993, when supporting a Nova Scotian woman's recovery and with research that revealed NST victimization had been committed against other Nova Scotian women and girls within family and non-family relationships (Sarson & MacDonald, 2021b). Perpetrators of family-based NST victimization most often perpetrated sexualized human trafficking or exploitation into prostitution of their daughter or a spouse within like-minded criminal informal networks involving non-State and State actors.⁵ Presently in Canada NST is not criminalized (Sarson & MacDonald, 2019b, 2022c); therefore, whether mass casualty perpetrators have a history of perpetrating NST or whether they were raised in such a family system cannot be legally identified. However, it is known that this mass casualty perpetrator's family history of violence was described as brutalizing including witnessing his father's violence against his mother involving choking her and having a gun held to her head and to the perpetrator's head when he was a little boy.⁶ Women born into NST family systems who had male siblings frequently told us that their male siblings were "raised" to be perpetrators of violence. Canadian women have fled Canada to gain safety from non-State torturers (Bramham, 2020a, 2020b; Lane & Holodak, 2016).

Our background is in public health nursing wherein relational violence is a public health practice concern. Our feminist analysis confronts the patriarchal constructed human inequality of women and girls. Patriarchy shapes a power differential of male domination over female subordination, giving rise to the fundamental misogynistic oppression, discrimination, and violence inflicted against women and girls because of their socialized positioning of human inequality to that of men and boys. No one escapes the socio-cultural and relational internalized

influences of patriarchy, without constantly challenging how this impacts one's evolving values, attitudes, and behaviours—how it defines "Who I am" as a person.

To challenge this global discriminatory human rights gap, we are members of the non-governmental organization (NGO) "The Alliance of NGOs on Crime Prevention & Criminal Justice," Vienna, Austria, with a "Working group of gender-based violence as torture inflicted by non-state actors (NST)." The goal is asking United Nations State Members to work together to create a declaration addressing NST violations as a model strategy to promote global awareness



Fig. 2: Side event during the 31st Session of the United

⁵ See <https://www.youtube.com/watch?v=2G-wF740vOo&t=193s>

⁶ See <https://masscasualtycommission.ca/files/foundational-documents/COMM0059739.pdf?t=1658399572>

and its prevention. To promote this effort we delivered an oral statement during the Thematic Discussions of the United Nations Commission on Crime Prevention and Criminal Justice on the Implementation of the Kyoto Declaration.⁷

Since 2002 we have presented at international conferences and since 2004 at other United Nations sessions in New York and Geneva, with the goal to achieve human equality of women and girls not to be subjected to torture by non-State actors. This report exposes when identifying forms of intimate partner, family, and gender-based violence, NST victimization must be included as it fits into the MCC's mandate.

Definitions

Torture. In the early 1990s we researched what United Nations human rights instruments defined as acts of “classic” State actor torture. When compared to Nova Scotian women’s descriptions of the violence they suffered we learned women had survived similar

acts of torture as exemplified in Figure 3 (Sarson & MacDonald, 2009b, 2011, 2021b). Terms such as “State” or “non-State” differentiates who the torturers are. “Non-State torturers” refers to private actors, to individuals, families, or groups whereas “State torturers” are representatives of a government, such as military or police officers or embassy staff. State or non-State torturers commit torture in various places, some similar and others different (Jones, et al., 2018). Torturers use whatever tools are at their disposal. Inflicting torture is always intentional, never accidental, and with the purposeful destruction of those they torture. Patriarchal subordination of women as persons, with the supposed equal human right not to be subjected to intentionally inflicted acts of severe physical or mental torture pain or suffering, has for decades been nationally and globally discriminately denied; however, this view is transforming (Alliance of NGOs on Crime Prevention & Criminal Justice, 2022; Dale, et al., 2021; International Association of Democratic Lawyers, 2022; Jones, et al., 2018; Nowak, 2021; Coomaraswamy, 2000; Sarson & MacDonald, 2021b; UN CAT, 2008; UN CEDAW, 2017).

Mass Casualty Violence. We utilize the term *mass casualty violence* versus mass shootings to name more clearly the massive violent crimes committed by the Nova Scotian male perpetrator on April 18 and 19, 2020, such as:

- *Criminal assaults* against Lisa Banfield by the perpetrator on April 18th, 2020, which was a historical pattern of serial intimate partner violence including life-threatening strangulation committed against her and witnessed by others;

| Patriarchal Divide Model | | |
|--|---|--|
| STATE TORTURE | P A T R I A R C H A L | NON-STATE TORTURE |
| <ul style="list-style-type: none"> • Electric shocking • Beaten, burned, cut, whipped • Immobilization tortures, tied, hung, caged • Water tortures • Suffocation/strangulation/choking tortures • Sexualized tortures: Rapes, gang rapes, repetitive raping, gun, hand/object rapes • Forced drugging • Nutritional deprivation • Psychological tortures: Humiliation, degradation, dehumanization, terrorization, horrific, animalization • Forced nakedness • Sleep deprivation • Witnessing torture of others • Powerlessness & captivity | | <ul style="list-style-type: none"> • Electric shocking • Beaten, burned, cut, whipped • Immobilization tortures, tied, hung, caged • Water tortures • Suffocation/strangulation/choking tortures • Sexualized tortures: Rapes, gang rapes, repetitive raping, gun, hand/object rapes • Forced drugging • Nutritional deprivation • Psychological tortures: Humiliation, degradation, dehumanization, terrorization, horrific, animalization • Forced nakedness • Sleep deprivation • Witnessing torture of others • Powerlessness & captivity |
| <small>J. Sarson & L. MacDonald © www.nonstatetorture.org</small> | | |
| Comparing acts of State torturers to those of non-State torturers | | |

Fig. 3: Listing of “classic” acts defined as torture

⁷ See https://crimealliance.org/resources/m/2022-04-26_CCPCJStatementKyoto

- *Criminal possession of illegal guns* which expedited his shooting to death of 13 female persons including one pregnant woman—13 *femicides*—and of 9 male persons—9 *homicides* and consequential trauma of loss of relationships and relational grief;
- The *Criminal Code* crime of attempted murder of Andrew MacDonald;
- Young children *witnessing or exposed* to the killing of their parent(s) leaving them parentally orphaned and grieving (Province of Nova Scotia, 2021);
- The *Criminal Code* offence of *animal cruelty* involving the intentional wounding or killing of family pets;
- The *Criminal Code* crime of *arson*, altering and traumatizing resident's visual, emotional, and relational community connections.

Institutional Betrayal. “The role of gender-based and intimate partner violence” as a component of the MCC’s mandate,⁸ provides the opportunity to present Nova Scotian women’s voices about NST victimizations. As one woman tells us, “I do not want to die an “it”; she explains that until our country acknowledges NST crimes she feels she is not considered a person. This systemic trivialization of NST victimizations is what Smith and Freyd (2014) describe as institutional betrayal which is “powerful...institutions acting in ways that...harm...those dependent on them for safety and wellbeing” (p. 575). This is the federal and provincial institutional betrayal this submission addresses.

Obligations and Recommendations. Our participatory obligations are to contribute to the MCC’s work and to Nova Scotians’ future decision-making to prevent gender-based, family, intimate partner, and mass casualty violence. We do so within these two sections:

- 1) **Section 1: Past and Present Intimate Partner, Family, and Gender-Based Violence.** By herstorically backtracking 100 years we expose the inter-generationally “inherited” patriarchy and misogyny that reflects Nova Scotia’s men’s violence present day and legal system practices. Backtracking has contributed to normalizing intimate partner, family, and gender-based violence as a “family or private matter” or a “relationship issue.” Two women’s NST victimizations will be shared to illustrate how such ordeals were systemically not identified as serious, violent crimes. We raise this question: How Many Violent Male Perpetrators are there in Nova Scotia today?
- 2) **Section 2: Recommendations.** Based on our 29 years of developing grassroot scientific knowledge, our recommendations focus on offering protection and prevention to Nova Scotian women who survived family and non-family non-State torture, terror, and sexualized torture victimizations and or inflicted within informal criminal networks.

SECTION 1: Past and Present Intimate Partner, Family, and Gender-Based Violence

⁸ See <https://masscasualtycommission.ca/about/mandate/>

No one escapes the socio-cultural and relational influences of patriarchy. Because patriarchy functions on organizing the fundamental principle of positioning men's domination over the subordination of women, this conditioning is why no one escapes being influenced by the constructs of patriarchal domination. To understand this factual reality we backtrack into Nova Scotia's culture "inherited" 100 years ago. Raising questions and presenting evidence that will ultimately require Nova Scotians to decide what we are willing to do to prevent all forms of intimate partner, family, and gender-based violence most often related to mass casualty violence.

The First Question: What can be learned from patriarchal backtracking 100 years?

Answering six questioning scenarios will expose the patriarchal and misogynistic evidence of gender-based and intimate partner relationship violence Nova Scotians' "inherited":

- 1. *In the 1900s what was Nova Scotia's patriarchal legal response to men's acts of cruelty against intimate female partners?*** According to James Snell's research (1988), in the early 1900s Nova Scotian women began attempting to transform patriarchal responses by speaking out about men's "wife-beating and mental cruelty" (p. 3). In spite of women's efforts, patriarchal attitudes kept the patriarchal social order between "the sexes" intact by ensuring women remained in their position of subordination under the domination of men—their violent husbands (Snell, 1988, p. 4). If a marriage was dissolved, seldom was intimate partner domestic cruelty an acceptable reason.
- 2. *What were Nova Scotian violent men's acts of relational terrorism in the 1900s?*** Betty Mulholland of Truro, left her husband Walter in 1900, because he once attempted to drown her, threatened her life as he kept a gun under his pillow, assaulted her with a bird cage, his fists, and she was "thrown about" by him (Snell, 1988, p. 11). It was described that Betty experienced terror—*relational terrorism*. Diagnosed with "nervous prostration" was the social subordination of Betty as ill thereby providing impunity to Walter, invisibilizing him as a perpetrator of intimate partner violence and the cause of Betty's serious pain and suffering. Betty filed for divorce. Although Justice Wallace Graham agreed that Walter had inflicted serious bodily and mental cruelty, Graham ruled the evidence was "insufficient for a divorce," awarding Betty separation and alimony (Snell, 1988, p. 11). Such a rigid patriarchal legal system socially, legally, and relationally created Nova Scotia's social and relational norms and attitudes about intimate partner cruelty, normalizing such violence as not that important. This was verbalized during a 1916 Colchester County case when a man commented on a farmer's divorce case that the farmer "used her [his wife] too good; he never abused her; he ought to have" (Snell, 1988, p. 17). This is the cultural and relational normalization of men's violence against women within intimate partner relationships that has been inter-generationally passed on.

3. ***What weapons did violent Nova Scotian men use in the 1900s's to inflict acts of intimate partner and gender-based violence?*** By the late 1920s women pushed to expose sexualized cruelty, disclosing being terrorized, choked, kicked, whipped, beaten with household objects, and that knives, razors, and rifles were weapons violent husbands used against them (Snell, 1988).
4. ***In the 1900s what forms of class discrimination existed in Nova Scotia's legal system when addressing intimate partner and gender-based violence?*** Evidence suggested that a class bias legally existed within Nova Scotia's cultural and legal systems. For instance, in 1921, an unnamed Nova Scotia Senator and his wife signed a separation agreement that bound them "to silence regarding the marital problems," which circumvented public humiliation (Snell, 1988, p. 15). The judiciary's discriminatory bias was that working class women were tougher, thus capable of tolerating domestic victimizations (Snell, 1988).
5. ***Did sexualized cruelty including torture exist within Nova Scotians intimate or gender-based relationships in the 1900s?*** The first explicit case of intimate partner or gender-based sexualized cruelty within Canada occurred in Nova Scotia in 1916 (Snell, 1988). A Lunenburg County farmer's sexualized victimization of his wife suggested vaginal and anal rapes with internal injuries including the displacement and inflammation of her uterus and bladder, bleeding, and her screaming silenced by having her mouth covered (Snell, 1988). We suggest this description of sexualized cruelty involved *torture*. Judge Ritchie declined using sexualized cruelty as the reason for the divorce, using adultery instead (Snell, 1988). This meant this man—that violent men—were not held accountable for sexualized cruelty including sexualized torture they perpetrated against women partners.
6. ***In the 1900s did gender-based sexualized cruelty committed against Nova Scotia women and girls include exploitation, trafficking, and prostitution victimizations?*** In 1910, Clifford G. Roe answered this question saying;

Taking the biography of one hundred girls [young women] in disreputable houses at random, it was learned that about one-third come to Boston from Canada, mainly Nova Scotia.

To one who has made a study of the White Slave traffic the first question...where do they get the girls from? Why do so many come from one locality? (p. 158).

The Next Question: Are violent Nova Scotia men's acts of intimate partner or gender-based violence different in the 2020s than in the 1900s?

The answer to this question is "No." Violent men's actions have not changed in over 100 years according to the following evidence:

- 1) The Nova Scotia Advisory Council on the Status of Women tells Nova Scotians that (2020):
 - a) It remains predominately women who suffer intimate partner or domestic violence; as it was 100 years ago;
 - b) Assaults, threats, sexualized victimizations, harassments, and attempted murder describes present-day violent men's acts of gender-based or intimate partner violence. Based on Snell's research (1988), this is similar to the acts of cruelty committed against female intimate partners 100 years ago. Remembering that the first Canadian legal case of sexualized cruelty occurred in Nova Scotia, confirming that sexualized violence including torture existed in Nova Scotia in the 1900s.
 - c) In 2019 domestic violence perpetrated against women in Nova Scotia increased by 14.5 percent compared to 2016 and is higher than the Canadian average of 10.4 percent. Suggesting that Nova Scotians have 'inherited' a cultural legacy of high rates of relational violence given the evidence exposed by Snell (1988).
- 2) Strangulation, choking, sexualized assaults, being spit on, beatings to a woman's face that caused deafness, being dragged by their hair, threats to be killed, and guns used to "play Russian Roulette" were violent acts and the terrorism inflicted against female partners by violent men who went on to commit mass casualties (Everytown Research & Policy, 2022; Gu, 2020). This list contains many of the violent actions committed by men in the 1900s; significant is that many were red flag warnings, signaling evidence of the violent behaviours of the Nova Scotia mass casualty perpetrator. Understanding the criminal modus operandi (MO) of violent men exposes potentially life-threatening *misogynistic-relational terrorism* that can progress into mass casualty violence (Renzetti, 2019).

How Many Violent Male Perpetrators are there in Nova Scotia Today? The World Health Organization's (WHO) report gives a global perspective of male violence against women (2013). It reveals that 30.0 percent—millions—of ever-partnered women suffer physical and/or sexualized intimate and gender-based violence, some women reporting a lifetime of such victimization. This WHO report states the rate of such victimization in Canada is 21.32 percent. This suggests that almost a million ever-partnered Canadian women, utilizing the age of 18, have been or are being victimized. Indicating there is a significant population of Canadian men who perpetrate intimate partner or gender-based violent crimes against the women they partner with. Applying the WHO Canadian percentage of 21.32 to Nova Scotia's male population over the age of 18 years,⁹ suggests that there may be approximately 92,000 violent Nova Scotian men committing gender-based or intimate ever-partnered violence (because one man may victimize numerous women this statement does not permit such a distinction). WHO also states that relational violence begins between ages of 15-19 years. Perpetrators who commit serial NST

⁹ See Statista which suggests this Nova Scotia male population is approximately 401,000.
<https://www.statista.com/statistics/605948/population-of-nova-scotia-by-age-and-sex/>

victimizations mean some women have and will endure relational terrorism, torture, and exploitation for years, even decades. Non-State torturers must be held criminally responsible for perpetrating acts of torture; Canada's *Criminal Code* must be amended to include NST.

Embedded in Canada's patriarchal and misogynistic culture are peoples' attitudes and beliefs about responding to gender-based violence (GBV). Disturbing is that 46 percent of Canadian respondents to the Canadian Women's Foundation national survey felt the issue of GBV feels too big for them to play a role in ending it.¹⁰ Also, 24 percent felt GBV is a personal issue not a societal problem, plus 23 percent felt GBV was none of their business if it did not directly involve them. However, a ray of hope was present, because in spite of the previous responses to the questions in the survey, a question revealed that 92 percent of respondents believed GBV needs to be openly and publically addressed to end it and that "everyone has a responsibility to stop GBV (90%), including decisionmakers, community leaders, and that workplaces should take proactive steps to address GBV and support survivors (90%).

The Last Question: Why speak out about non-State torture, sexualized exploitation, trafficking, or prostitution as forms of intimate partner, family, or gender-based violence?

As MCC participants we have an obligation to present evidence into Nova Scotia's patriarchal culture and its systemic responses to violent men's acts of intimate partner, family, or gender-based non-State torture victimizations that can also involve sexualized exploitations. As pointed out in Carmen Gill and Mary Aspinall's MCC submission, retrospective reviewing of situations of intimate partner and gender-based violence "allows for the identification of risk factors that are recognized as 'red flags' that require a response" (2022, p.34). We do this by retrospectively introducing Lynn, whose recovery we supported; then retrospectively and respectfully introduce Jane Hurshman who was known to many Nova Scotians, to illustrate red flag warnings ignored.

Lynn's Story: "I was tortured, not abused."

In 2000, Lynn entered our professional nursing practices when labeled "a difficult client" by those delivering Nova Scotia Home Care services to her (Sarson & MacDonald, 2019c). However, when asked by Linda, who was her Home Care coordinator, why she was angrily verbally striking out at the workers, this reality of intimate partner and gender-based violence emerged. Lynn explained surviving over four years of gender-based intimate partner NST victimization and sexualized exploitation when trafficked into prostitution by her husband and his three male friends (Sarson & MacDonald, 2009a, 2019c, 2021a, 2021b, 2022d). For over two years we volunteered two four-hour sessions a month to assist Lynn successfully recover as we had already specifically designed NST victimization-traumatization informed care services that

¹⁰ See <https://canadianwomen.org/blog/responding-to-gender-based-violence-national-survey-results/>; this survey by Maru / Matchbox was conducted from February 4-9, 2022, among a representative sample of n=1,500 Canadians with an additional sample of n=500 women, weighted to census proportions on age, gender, and region.

were and remain lacking in Nova Scotia and in Canada (Sarson & MacDonald, 2021b). Lynn was able to share her story with caregivers and discuss the designed NST nursing care plan that provided ongoing respectful Home Care services to Lynn (Sarson & MacDonald, 2019c).

The Non-State Torturers' Modus Operandi. Lynn explained the torturers' modus operandi (MO) of intentional acts of repetitive NST ordeals that caused severe pain and suffering, saying:

- **Psychological and terrorization tortures:** Guns threatened my life as they played Russian roulette with me; I was almost drowned when they held me underwater threatening to electrocute me in the tub; every time my husband's torturing created terror in my eyes, he'd say, 'Look at me bitch; I like to see the terror in your eyes'; I never stopped fearing I was going to die; when he forced the Hermit 827 wine bottle into my rectum and made me sit on it I thought I was going to haemorrhage to death;
- **Physical tortures:** I was whipped with the looped wires of clothes hangers, ropes and electric cords; I was pulled around by my hair; I was forced to cut myself with razor blades for men's sadistic fun and pleasure; I was beaten with a baseball bat and kicked; they beat the soles of my feet (falanga) and when I tried to rub the pain away they beat me more;
- **Suffocation/choking tortures:** I was choked; their penises and semen suffocated me;
- **Water tortures:** I almost drowned when they held me underwater threatening to electrocute me in the tub;
- **Immobilization and powerlessness tortures:** They tied me down spread-eagled for the men they sold my body to; I was handcuffed to an iron radiator; they held me captive in a windowless room for over four years and watched me all the time;
- **Forced nakedness and humiliation tortures:** I was stripped naked and kept naked, cold, and dirty for all those years;
- **Sexualized tortures and humiliation:** Stripped naked and raped—'broken in'—by the three goons; I suffered when their laughter humiliation me as they tied me down spread-eagled for the men they sold my body to; I was raped and tortured, their penises and semen suffocated me; pliers were used to twist my nipples; my husband enjoyed sodomizing me with a Hermit 827 wine bottle causing me to hemorrhage; I saw my blood everywhere when I was ganged raped with a knife;
- **Reproductive tortures:** I suffered five pregnancies and violent beatings forced abortions;
- **Drugging/chemical tortures:** I was drugged constantly;
- **Depravation tortures:** I was starved, fed mostly rice I ate out of a bowl with my dirty hands; only water to drink; I was left without clothes, cold and dirty, they didn't let me wash;
- **Sleep deprivation tortures:** I was tortured night and day;
- **Dehumanization, degradation, and psychological tortures:** I was called bitch, slut, whore and 'piece of meat'; I was never called Lynn after they group raped me.

Intimate Partner Violence Can Involve Sexualized Exploitation. Men's violence against their female spouse can involve organized sexualized human trafficking as identified in the typology of the *2014 Global Report on Trafficking in Persons* (UNODC). It is described as "intimate partner exploitation" under the heading of "small local operations" (p. 14). The gender-based and intimate partner violent victimizations committed against Lynn did involve sexualized exploitation when tortured and trafficked into prostitution by her husband and his male peers who had an established criminal informal network (Sarson & MacDonald, 2022a).

Figure 4 illustrates that Sara, Lynn, and Elizabeth, all survived gender-based, family, and non-family NST as children and or as adults.¹¹ It shows who the key family and spousal organizers were,

that State officials were at times involved, and the vastness of informal networks. For instance, Lynn described being taken to a "pig doctor" into a dirty room with blood-stained instruments that were used by the "pig doctor" to stop her vaginal haemorrhaging with vaginal

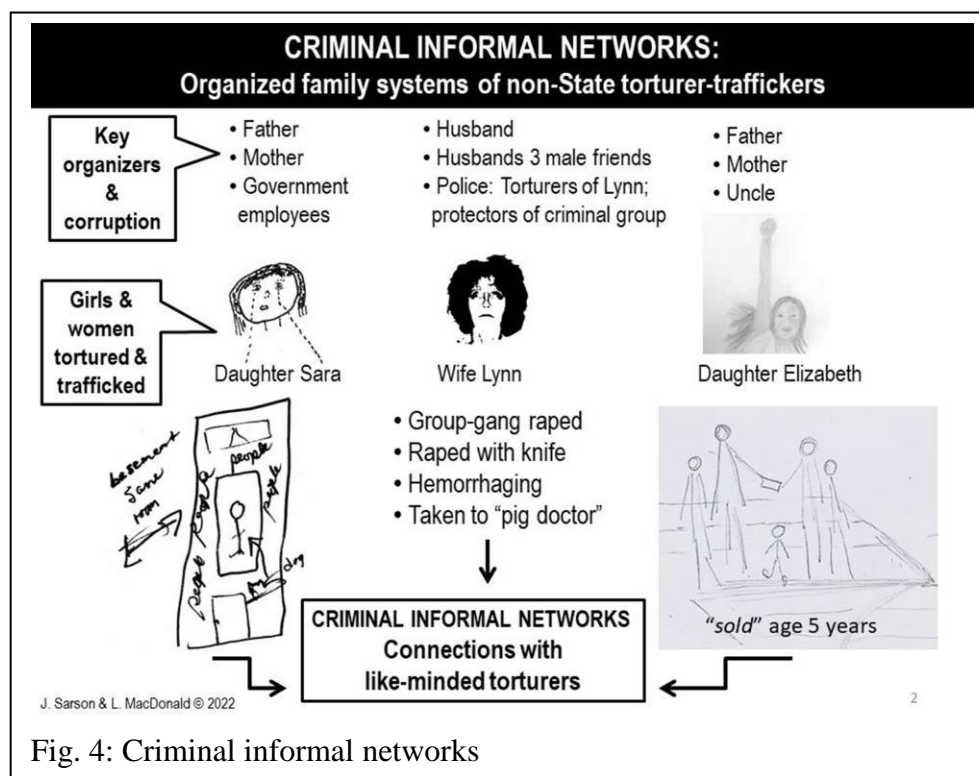


Fig. 4: Criminal informal networks

packing and an injection. Sara draws the torture room in the basement of her parent's house

¹¹ Figure 4 is extracted from our video presentation which opened the Side Event entitled, "Gender-Based Violence as Torture Inflicted by Non-State Actors" at the 31st Session of the United Nations Commission on Crime Prevention and Criminal Justice, Vienna, May 19, 2022. This Side Event was sponsored by the Governments of Finland and Honduras, by the non-governmental organization "Alliance" of which we are members involved in the "Working Group on Gender-based violence as torture inflicted by non-state actors (NST), and supported by the International Association of Democratic Lawyers (IADL). Sara, her pseudonym, and Lynn are both Nova Scotians; Elizabeth lives in the UK. They are three women whose recovery we supported. The NST victimization of Sara occurred in Nova Scotia as well as being trafficked out-of-province and out-of-country; Lynn married in Nova Scotia, unaware she was being criminally groomed for captivity, torture, and exploitation when she went to Ontario with her husband where she was held in captivity until escaping after four and one-half years. The thought is the men let her escape because she was at risk of potentially dying so they may have thought she would die a "Jane Doe" on the cold November night she fled, with only a coat as clothing. For Elizabeth, as with Sara and Lynn, the key organizers were making "deals" for the selling of them to buyers; to do this they had established criminal informal networks that involved not only non-State actors but also State actors.

surrounded by like-minded perpetrators connected to her parents' criminal informal network. Elizabeth shared her drawing of being "sold." The only way such exploitative crimes can happen is with connections to informal networks. Criminal informal networks contribute to the organized crime of sexualization exploitations of women and girls in Canada and elsewhere. A contributing factor is the involvement of State actors (Global Initiative against Organized Crime, 2021; Sarson & MacDonald, 2018b, 2019c, 2021a, 2021b; Sarson, et al., 2019e; Sarson et al., in print).

Although Figure 4 shares victimizations that were inflicted in the past involving informal networks, organized victimizations occur present day. In the past year we have been consulted by Nova Scotia women; one who realized her husband had been sexually exploiting and trafficking her for his voyeuristic pleasure and others who as carers realized women they support had been tortured. This is further *truth-bearing evidence* that within Nova Scotia's patriarchal culture, family and non-family systems inflict intimate partner or gender-based violence that includes acts of NST, sexualized exploitation, and involves criminal informal networks.

Informal Criminal Networks. Recognizing and naming that informal networks exist and can be a component of gender-based, family, or intimate partner violence is required if Nova Scotians are to understand the complex violence inflicted against Nova Scotian women. Identifying informal networks are developed by perpetrators and can be warning indicators of future violence including within a community (Sarson & MacDonald, 2016).

Next, We Remember Jane Marie (Stafford) Hurshman

When we met Lynn in 2000, for several decades she had never told of the severe gender-based and intimate partner captivity, torture, and exploitation she suffered because, she said, whenever she tried to tell she was effectively shut down. Even when saying to friends she related to Jane (Stafford) Hurshman's victimization she was disbelieved. Although neither Lynn and Jane are alive to share their truth-bearing evidence of gender-based and intimate partner torture victimization, their herstorical evidence can be brought into the MCC's mandate of naming all forms of gender-based and intimate partner violence that occurs within violent relationships in Nova Scotia. Jane said, "*Battering isn't the taboo—talking about it is. And it can only continue if we keep quiet*" (Vallée, 2007). We honor, in this submission, Jane, Lynn, and women similarly tortured by talking about "it."

The Non-State Torturer's Modus Operandi. Brian Vallée (1986, 1998, 2007) documented Jane Hurshman's gender-based and intimate partner torture ordeals. He stated that society, police, and the legal system needed to crack down on violent perpetrators as it is a serious crime and not a family-based "private matter" (Vallée, 1986, p. ix). Jane was subjected to the torture and terror acts intentionally inflicted by her spouse to cause her severe physical and mental pain and suffering that manifested as gender-based and intimate partner torture, although called "wife

battering” in the early 1980s. Examples of the torture and terror MO’s that this perpetrator included on Jane includes (Vallée, 1986, 2007):

- **Psychological terrorization tortures:** Threatened to be killed with a gun held to her head; being actually shot at; feared she would be killed;
- **Psychological tortures:** Told it was her fault; Jane said “he took everything from me...until there was nothing left but a shell” (Vallée, 1986, p. xi); called slut, fucking whore, tramp; viewed her home as a torture chamber;
- **Powerlessness:** “My situation became hopeless” (Vallée, 1986, p. xi);
- **Physical tortures:** Being severely beaten, kicked, and punched; black eyes and bruises; beaten black and blue with a vacuum-cleaner hose; forced to be constantly working causing extreme fatigue; knocked to the floor; hit over the head with a cup or knife when eating;
- **Immobilization tortures:** Tied to a chair; bondage;
- **Forced nakedness and humiliation tortures:** Stripped naked;
- **Sexualized tortures and humiliation:** Her breasts were bitten; she suffered repetitive rapes; her pubic hair was yanked out one at a time; forced to keep a 4 inch pipe in her rectum; forced bestiality;
- **Degradation tortures:** Urinated on; forced to drink his urine; gagged with soiled panties; suffered forced bestiality; perpetrator urinate in bed and forced Jane to clean the sheets;
- **Deprivation tortures:** Kept awake at night; forced to be always working;
- **Witnessing the harming of others/animals:** Witnessing her child’s victimizations that began when he was called a bastard; witnessing the perpetrator force-feeding the child who when throwing up was forced to eat the vomitus; witnessing cruelty of her pet dog Blue;
- **Horrorification tortures:** Horrified realizing he killed one of their cows by ramming a shovel handle up its rectum; horrified when he said he had killed a man by throwing him overboard when at sea fishing; forced to clean up the room where her son was lying covered in welts from neck to feet, lying in his own blood and feces, after being beaten by the perpetrator with a piece of a broken mop handle; witnessed her son being picked up by his hair, a butcher knife put to his throat, and at other times held upside down by his feet with a loaded rifle pointed at his head.

Misogyny Dismisses Intimate Partner Violence. Similar to the mass casualty perpetrator, many knew of this perpetrator’s intentional infliction of the severe physical and mental pain he committed against Jane—his parents knew, as did Jane’s parents, other family members, and the entire community including the RCMP knew. He also stated he wanted to kill a RCMP officer (Vallée, 1998), as did the present day mass casualty perpetrator. We could suppose this man could have become a mass casualty perpetrator had Jane not shot and killed him. We can also consider that the “inherited” cultural and policing institutional patriarchal misogyny that viewed gender-based and intimate partner violence as a lesser crime, affected RCMP Staff Sergeant

Williamson's decision "not to include Jane's description of the brutalities...inflicted on her in the statement he took from her. Williamson testified he excluded the beatings...because he felt they had nothing to do with the event [Jane's killing of her perpetrator], since they occurred in the past" (Vallée, 1986, p. 136).

Two months after Canadian's heard of Jane Stafford Hurshman (Vallée, 1986), the political culture was rife with misogynistic dismissal of gender-based and intimate partner violence. Because during question period in the House of Commons on May 12, 1982, when Member of Parliament (MP) Margaret Mitchell said that, "one in 10 Canadian husbands' beat their wives regularly" many MPs responded with "vulgar jokes," laughter, and heckling (Stoffman, 2017).

Suicidality: Consequential Femicidal Risks. When Lynn escaped her captivity she lived with her mother in Bible Hill, Nova Scotia. For the first six months Lynn told us how immobilized she was, unable to get out of bed, lying there day-in-and day-out struggling with thoughts of how to die by suicide. Had Lynn died by suicide, present day this would be named a homicide versus a form of *femicide*. The knowledge would be dismissed that her death was a direct consequence of the intentional, organized captivity, torture, and sexualized human trafficking into prostitution committed against her by her husband, his three male criminal friends, the male buyers who paid to torture Lynn, and the policemen who tortured her while protecting the men's criminal informal network. Lynn was not mentally ill; her suicidal risk was, as just stated, a direct consequential response to the severe physical and mental pain and suffering she was enduring (Sarson & MacDonald, 2020a, 2021a, 2021b).

In Brian Vallée's writings, Jane suffered degrading sexualized torture and had suicidal thoughts. Jane, he tragically wrote, "took her own life with a bullet to the chest in the front seat of her car in a deserted parking lot on the Halifax waterfront" (2007, p. 19-20). In our opinion, Jane's dying was a form of femicide, a direct consequence of the gender-based and intimate partner torture she suffered. As research indicates, intimate partner violence is a risk factor for suicidal attempts by women (Kapoor, 2000; Rahmani, et al., 2019). The more severe the violence is results in women's elevated suicidality ideation or attempts (Khodabandeh, 2019; Warshaw, et al., 2018). Gender-based or intimate partner non-State torture victimization is severely dehumanizing thus there is a risk a woman may die by suicide. This would be a *consequential femicide*.

Relational Terrorism and Horrification. For women (and children) the home, the place where they ought to be safe, becomes a "House of Horrors" filled with terrorism, torture, and at times horrification, fearing they will be killed. Being tortured, terrified, and horrified causes overwhelmingness, emotional confusion, and chaos can set in. Being terrorized means the perpetrator's threats or life-threatening actions serve the purpose of influencing women to do as demanded of them (Hanle, 1989). For instance, when Jane described seeing her son lying covered in welts, lying in his own blood and feces after being beaten by the perpetrator with a piece of a broken mop handle, she did as demanded of her—to clean up the room. Horrified,

terrified, and mixed with the knowledge that both of their lives were in danger she did what was forced upon her.

For Lynn and other Nova Scotian women we supported or who participated in our “Kitchen Table-Research,” we observed that horrification goes beyond emotional terror. Horrification involves experiential ordeals of seeing, hearing, tasting, smelling, feeling, and re-experiencing violent ordeals so heinous as to cause any of the following responses of (Sarson & MacDonald, 2021b; Schmemmann, 2000):

- Being without verbal language
- Being beyond description
- Giving rise to speechlessness, voicelessness, and stuttering
- Giving rise to physical coldness, shivering, tremors, and seizure-like responses

Visible Captivity. The perpetrators’ tactics of inflicting terrorization and horrification responses hold women in violent relationships “visibly captive.” By this we mean that the victimization of a woman is known, she can be out in public working or in school, but psychologically she is a captive adult unable to escape. As Jane Hurshman said, she did as the perpetrator demanded including working and that “he took everything from me...until there was nothing left but a shell.” This is an expression of being visibly captive and dehumanized when the community knew or normalized and dismissed the perpetrators’ violence. We suggest, at that time, a failure to understand torture, terror, horror, and captivity existed as forms of gender-based, family, and intimate partner violence inflicted by violent Nova Scotian men. Such a knowledge gap must no longer exist—it is no longer justifiable.

SECTION 2: RECOMMENDATIONS

RECOMMENDATION 1, integrate knowledge of patriarchy and misogyny into educational programs including in schools so children are included.

A grassroots perspective of patriarchy is to review these dictionary definitions that explain:

- 1) Patriarchy is a societal system or government in which men hold the power and women are largely excluded from it;
- 2) Misogyny means a dislike of, contempt for, hatred of, or ingrained prejudice or discrimination against women, and
- 3) Democracy is a system of government by the whole population or of all the ‘eligible’ members.

These three brief definitions reveal that patriarchy is embedded in democracy when all of its population—its women and girls—are not considered ‘eligible’ members. Hence the

misogynistic otherization and inequality of women and girls as not owning an equal human right not to be subjected to torture regardless of whom the torturers are.

Social Formation Model. Evolutionarily inherited patriarchy is within the Canadian system of democracy which requires understanding the positional power of male domination over female subordination—of male power and control over female oppression as illustrated in the Social Formation Model Figure 5 (Sarson & MacDonald, 2018a; 2021b). Male domination and power is positioned in four socially organizing sites named in the Model. These create the fundamental patriarchal principle of male domination over female subordination. This *shapes* patriarchal beliefs, values, and attitudes of women’s social inequality in the culture that becomes *housed* in structures, *reinforcing* practices which in turn *influence* all relationships including intimate partner, family, and gender-based violence when considered to be a “family or private matter” or not a serious crime.

The Fundamental Patriarchal Principle of Male Domination over Female Subordination.

There is much evidence that illustrates the patriarchal principle of male domination over female subordination as presented in the Social Formation Model. For example:

1. **Federally**, Canadian women were denied being able to sit as Senators until they won their legal battle of being declared “a person” in 1929.¹² Winning this battle broke the patriarchal-misogynistic tradition of male domination and positional power that only men had the social right to be Senators. This action put transformative pressure on men’s domination within society, its culture, and its structures. Just one example of evidence explaining women’s fight for social equality—but they fought for their right to vote, to attend university, to hold a bank account—to overcome patriarchal subordination and oppression within “democracy.” There are other forms of oppressive “isms” besides sexism, such as racism, childism, and classism which are beyond this paper to discuss.
2. **Dropping back into Nova Scotia**, and into 1921 when patriarchy paid male teachers \$1148.00 yearly whereas women teachers doing the exact same work earned only \$577.00 (Gidney & Millar, n.d.). Patriarchal structural practices also meant school boards hired men as principles, accompanied by masculinistic assumptions that boys needed male models to ensure “vigorous manhood” and to prepare them for “nation-building” (p. 16), of governments, politics, and law where women did not belong—for example, as federal Senators. Women’s wage inequalities served to keep the third identified “organizational site of the family” and the fourth “economic site” in the Social Formation Model in place, promoting inter-generationally inherited male domination and subordination of women. Insights into religious organizations are beyond the focus of this paper, except to voice these role modeled women’s inequality—of sexism—thus subordination. These are all everyday facts that *reinforce* and maintain culturally inherited intergenerational patriarchal

¹² See Famous 5 Foundation. (2016). *The ‘persons’ case*. <https://www.famous5.ca/the-persons-case>

and misogynistic-based beliefs, values, and attitudes of women's and girls' inequality, *influencing* inter- and intra-personal behaviours. Including those of misogynistically violent men and their infliction of intimate partner, family, or gender-based violence, and terrorization, torture, horrification, and exploitation within criminal informal networks.

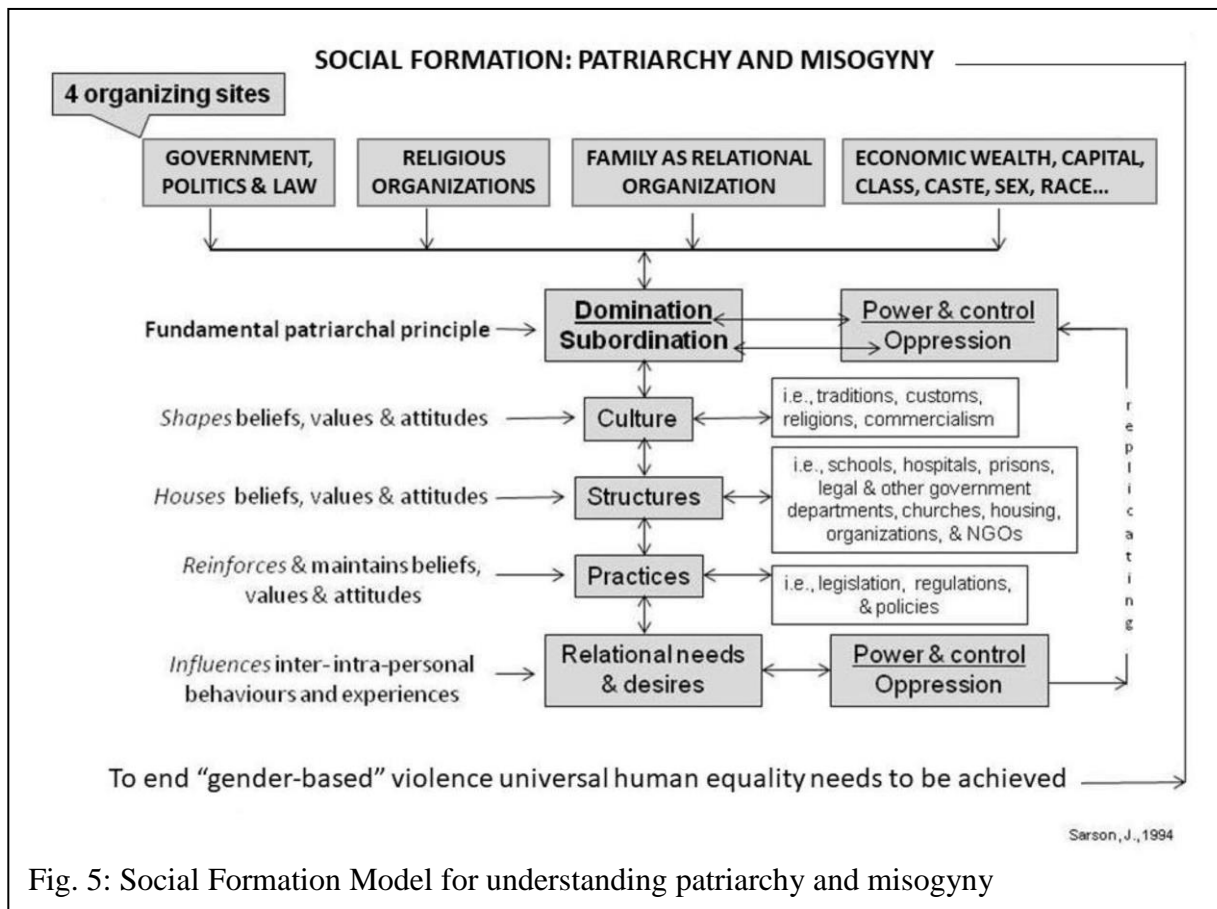


Fig. 5: Social Formation Model for understanding patriarchy and misogyny

3. **Stigmatization**, the organizing site on the Social Formation Model labeled “economic wealth...class...,” inflicted misogyny on lower or marginalized-class women of 100 years ago. For example, in relation to an Annapolis Valley wife’s 1936 complaint of violence perpetrated by her husband, a bootlegger, Judge Graham explained:

A blow which raised a large swelling on her face meant more to...[a middle-class woman] than it would to a woman in a rougher condition of life where blows were not uncommon or were not much regarded...Cruelty is cruelty; there are many things that are done between people in their [lower class] circle of life: you would divorce everybody in Nova Scotia if you divorced them for this sort of thing. Half the people in her class would have to be divorced (Snell, 1988, p. 21).

Such patriarchal-misogynistic attitudes did and continues promoting the devaluation of women as a social group, fostering stigmatization and discrimination, permitting further devaluation and marginalization of groups of women—women of color, women disabled, women in poverty—and women exploited into prostitution who can suffer NST victimizations (Badets & Wichmann, 2022). Women we support who were tortured as children or as adults have been stigmatized, not believed, labeled “crazy,” and pathologized, sharing that often they were treated as non-human (Sarson & MacDonald, 2021b).

Recommending this social formation educational framework may offer insights to Nova Scotians who ultimately will make their decision whether it is considered meaningfully essential to transform our culture to one of promoting and preventing intimate partner, family, or gender-based violence committed against Nova Scotian women. What actions socially and individually ought to be taken—such as responsibility to report relational violence, to whom, and how the expectations and accountabilities will be defined?

RECOMMENDATION 2, amend the *Criminal Code of Canada* to identify and criminalize non-State torture, femicide, and strangulation.

Going back to the Social Formation Model and the organizational site of “government, politics, and law,” these three suggested *Criminal Code* amendments are *transformative*. Non-State torture, femicide, and strangulation are specific violent acts intentionally inflicted for the purpose and pleasure of ensuring a violent man’s misogynistic destruction, domination, and control is maintained over the woman. Amending or establishing such laws eliminates legal discrimination plus identifies the life-threatening seriousness of intimate partner, family, and gender-based violence. It promotes women’s equality before the law, ensuring their equal protection of the law, so society can effectively respond with cultural and community-based education about preventive interventions such as reporting red flag indicators.

1. **Non-State Torture (NST).** Our human rights work and research addressing NST of women and girls became global when we realized their human right not to be subjected to torture had not been globally applied as a human right of women when United Nations human right instruments were being established (personal communications with previous UN Special Rapporteurs on Violence against Women, it causes and consequences, Rashida Manjoo and Radhika Coomaraswamy, and with Eduardo Vetere, Executive Secretary of the Eighth, Ninth and Eleventh UN Crime Prevention and Criminal Justice Congresses; Former Director of the Division for Treaty Affairs of UNODC). We learned that in the late 1970s and early 1980s when delegations created the United Nations Convention on the Elimination of All Forms of Discrimination against Women,¹³ and the Convention against

¹³ See <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,¹⁴ violence against women and girls was considered “a private or family matter” thus discriminatorily and globally not operationalized as women’s human rights instruments.

The Rule of Law. For example, the Provincial Court of British Columbia states that the rule of law means a law applies equally to everyone regardless of who they are (2020). All Canadians women included have the right not to be subjected to torture by non-State actors; therefore, it is essential to end the *Criminal Code* discrimination in response to torture crimes which presently only holds State torturers to criminal account (Justice Laws Website, 2022). First responders need this knowledge that non-State torture is a form of intimate partner, family, or gender-based violence when assessing red flag warnings signs (Sarson & MacDonald, 2012a, 2012b) if prevention including of mass casualty is to occur.

2. Femicide. According to Manjoo (2012), and others (Australian Associated Press and staff, 2017; Bogdan, 2022; Canadian Femicide Observatory for Justice and Accountability, 2020; Chan, K. S., 2018; Ferguson, 2022; Glass, et al., 2009; Reckdenwald, et al., 2020), *official knowledge* is established by naming and criminalizing femicide. It builds indicator evidence of the perpetrator-victim relationship, prevents misidentification, concealment, and underreporting of red flag warnings, including that women subjected to continuous violence and discrimination are always on “death row, always in fear of execution” (Manjoo, 2012, p.1). Examples of *official knowledge* include:

- a. In her book Joan Smith reviews many mass casualty crimes concluding with *official knowledge* that men’s misogynistic violence is practiced in private before moving their violence to the public stage (2020). For example, Geller, et al., (2021) found between 2014 and 2019 in the U.S., that 59.1 percent of mass shootings were domestic-violence related; that 68.2 percent of the perpetrators killed at least one partner, family member, or had a history of domestic violence. There was an 83.7 percent higher average fatality rate associated with a domestic-violence shooting compared to 53.8 percent rate when the perpetrator had a history of domestic violence, and 63.1 percent fatality rate for non-domestic-related shootings.
- b. Three leading causes of *pregnancy-associated deaths* that occur while a woman is pregnant or within one year from the end of her pregnancy are femicide, suicide, and drug-related overdose (Campbell, J., & et al., 2021). Identifying that when pregnancy occurs within intimate partner, family, or gender-based violence it needs to be considered a red flag warning and a femicidal risk factor. In the U.S. femicide (homicide) is the leading cause of pregnancy-associated deaths, committed mostly by an abusive intimate male partner, with 55 percent gun related and preventable.

¹⁴ See <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>

- c. *Delayed femicides* can occur. For the women we support, they describe how they were conditioned as tiny girls to die by suicide if they ever told on family-based non-State torturers. We call this *suicidal-femicide conditioning* (Sarson & MacDonald, 2018c). If such a femicide took place non-State torturers gain impunity which was their MO for inflicting such a life-threatening conditioned torture tactic. If a woman is water-tortured, as Lynn was, she could inhale water, develop pneumonia and die and her death would never be considered femicide (Sarson & MacDonald, 2020a). Torturers' impunity remains intact when this form of femicide is invisibilized.

3. Strangulation. Women when strangled expressed they felt their partner was capable of killing them (Messing, et al., 2018); thus a pattern of strangulation violence can be “the calling card of a killer” (Viau, 2020). Non-fatal strangulation (NFS) is generally serially committed, it can cause brain injuries and other severe emotional responses—from anticipatory anxiety, fear, depressive responses, cognitive impairment, memory loss, including women being unable to sufficiently assess the life-threatening danger they are in (Monahan, et al., 2020). Because death may occur days or weeks after a woman is strangled, it may not be identified as femicide (McCarthy & Stagg, 2020; Neilson, 2013). Research indicates that serial strangulation increases the risk of femicide by 750 percent (Bennett, 2018; Training Institute of Strangulation Prevention, n.d.).

RECOMMENDATION 3, amend *Criminal Code of Canada* whistleblowing section 425.1.

Speaking up, truth-telling, or whistleblowing about violent relationships must be considered worthy of protecting because acts of intimate partner, family, or gender-based violence can and do contribute to mass casualty violence. Amending Canada's whistleblowing law to apply to misogynistic violent crimes could be a preventive intervention, if Nova Scotians want mass casualty violence never to happen again.

The reason why whistleblowing protection is essential is because violent men who want to silence disclosures of intimate partner, family, or gender-based violence do use *vexatious complaints* or *Slapps* (strategic lawsuits against public participation) against those attempting to report such crimes. Battered Women's Support Services (2020) wrote that Slapps are techniques utilized to threaten, defame, and prevent women from reporting relationally violent partners. Being confronted by a vexatious complaint or Slapps in the form of defamation lawsuits is also used against supporters of women so victimized (Gray, 2021), even against the media's publication of perpetrators violent crimes; these tactics invisibilize violent crimes perpetrated against women (Rankin, 2022). Fighting unjust vexatious complaints or Slapps exhaust people's wellness; they may face demanding legal costs, their careers threatened, and their family's lives devastated. Although Grey writes about sexualized victimizations, her statement that court's interpretation of Slapps legislation must recognize that addressing issues of violence is a legitimate public interest issue. We concur. It must be of a legitimate public interest to prevent

gender-based, family, and intimate partner violence, including mass casualty violence. Therefore, if an individual becomes aware that such violent crimes are being committed and decides to make a report to police whistleblowing protection needs to be available.

Canada ranks among the worst in the world when it comes to protecting the everyday whistleblower (Hamovitch, 2022; Toub, 2020). It needs to expand the value of addressing misogynistic violence perpetrated against women. There are various reports on how to establish best practices (Feinstein, et al, 2021; Gray, 2021; Integrity Line, 2022; The Whistleblower Attorneys, 2021); however, whistleblowing about violent relationships must be considered worthy of protecting thus need to be included as a best practice. Whistleblowing protection may promote bystanders to become involved, for example by calling 911. Non-involvement has been observed in atrocities such as gang rapes and femicides, where the woman or girl is dehumanized and bystanders took no action (Chen, 2009). Non-involvement is reflective of Jane Hurshman's community response prior the crime of killing her husband. For Lynn, she was silenced when attempting to relate her NST ordeals as similar to Jane's. Will Nova Scotians decide how to become involved in individual and community prevention of intimate partner, family, gender-based, and mass casualty violence?

RECOMMENDATION 4, advance knowledge of crimes of depravity—of human evil.

On April 14, 2022, RCMP Constable Ben MacLeod said, “*evil...is a good word*” when reflecting on the mass casualty perpetrator's vindictiveness.¹⁵ Nasha Nijhawan, National Police Federation lawyer, also referred to the massive destruction committed by the perpetrator by saying, “Our members can only respond to the evils our society creates.”¹⁶ Recognizing there are perpetrators who intentionally inflict acts of everyday evil to cause harm is essential (Welner, et al., 2022), otherwise citizens, their community, police, and social systems become passive bystanders.

Human evil means the *actions* a perpetrator intentionally inflicts that devalues and destroys another or other human beings (Sarson & MacDonald, 2021b; Staub, 1993). During this MCC thousands of words have expressed how traumatically impacted individuals still are. We suggest a delay in recovery can occur when individuals and communities are unprepared to deal with exposures to criminal acts of depravity that can only be expressed using words such as “evil,” “atrocious,” or “heinous.” We share this opinion because 29 years ago we were confronted by the knowledge there were perpetrators in our Nova Scotian communities whose pleasure was inflicting acts of depravity—of torture, terror, horror, and exploitation with connections to criminal informal like-minded networks (Jones & et al., 2018; Lane & Holodak, 2016; Sarson & MacDonald, 2021b). There was no one to help us. We relied on our prior resiliency to develop

¹⁵ See Volume 14, page 18, of April 14, 2022:

https://masscasualtycommission.ca/files/documents/transcripts/EN_20220414_PublicProceedings_Transcript.pdf?t=1656320823

¹⁶ See Volume 14, page 18, of April 14, 2022:

https://masscasualtycommission.ca/files/documents/transcripts/EN_20220414_PublicProceedings_Transcript.pdf?t=1656320823, p. 132.

our knowledge on how to maintain our psychological wellness, at the same time developing NST victimization-traumatization informed caring interventions to assist women recover from the severity of the torturers' actions of human depravity—of acts of non-State torture.

| INTENT | ACTIONS | ATTITUDES | CHOICE OF VICTIM(S) |
|--|---|---|--|
| 1: Emotionally traumatize the victim, maximizing terror, humiliation, or create an indelible emotional memory of the event | 12: Disregarding the known consequences to the victimized person | 21: Pleasure in response to the actions and their impact | 5: Targeting victimized person who are not merely vulnerable, but helpless |
| 2: Maximize damage or destruction to victimized person(s) | 14: Prolonging the victimized person's physical suffering | 22: Falsely implicating others, exposing them to wrongful penalty and the stress of prosecution | 6: Exploiting a necessarily trusting relationship to the victimized person |
| 3: Cause permanent physical disfigurement to victimized person | 15: Unrelenting amount of physical and emotional victimization | 23: Projecting responsibility onto the victimized person; feeling entitled to do so | 13: Intentionally targeting victimized person based upon prejudice |
| 4: Excitement of the criminal act | 16: Exceptional degree of physical harm; amount of damage | 24: Disrespect for the victimized person after the fact | |
| 7: Influencing depravity in others in order to destroy more | 17: Unusual and extreme quality of victimized person suffering, including terror and helplessness | 25: Indifference to the actions and their impact | |
| 8: Progressively increasing depravity | 18: Indulgence of actions, inconsistent with the social context | | |
| 9: Terrorize others | 19: Carrying out crime in unnecessarily close proximity to the victimized person | | |
| 10: Gain social acceptance or attention, or to show off | 20: Excessive response to trivial irritant; clearly disproportionate to the perceived provocation | | |
| 11: Influencing criminality in others to avoid prosecution | | | |

Fig. 6: Depravity Standard Model adapted from Welner and Associates

Depravity Standard Model. Validation of our work when dealing with violence women described as evil occurred in 2014, when we joined 40,000 participants in the first online forensic research project headed by Welner and associates (Sarson & MacDonald, 2020b). They eventually developed the evidence-focused Depravity Standard instrument consisting of 25 patterns categorized under these four headings that somewhat or do represent patterns of criminal depravity (Welner & the Forensic Panel, 2016; Welner, et al, 2018). These are: (1) Intent of which there are 9 items, (2) Actions lists 8 items, (3) Attitudes have 5 items listed, and (4) Choice of the person(s) victimized contains 3 items.

We created Figure 6 using the Depravity Standard. It validates our knowledge about non-State torture violence (Sarson & MacDonald, 2020b; 2021b). Sharing such knowledge on depravity may assist others build resilience to cope with depravity crimes called “evil.”

RECOMMENDATION 5, eliminate systemic misogynistic violence within the RCMP.

Shortly after the mass casualty violence occurred women contacted us. Jolene did, saying:

Thinking back to 2013...When I bought my house in Bible Hill...there was a gal across the street who had serious issues with narcotics...One day she was attacked in her yard by a man in a red car...He was hitting her over and over. I locked my son in the house and went to the end of my driveway screaming at him to stop. He eventually drove away.

I called 911. I waited to report to the RCMP. The officer who I tried to give my report to...told me unless I could promise on the spot I had never broken the law my word was no good to him...a promise I couldn't make and a risk that terrified me. I wonder how many others have faced his response?

Not long after, I attended my neighbour's funeral caused by an overdose. I don't want to interject myself or my experiences...except they validate Ms. Forbes' experience. I just had to say it out loud.

Jolene was revealing this male RCMP officer's use of misogyny to terrify and silence her so to do nothing about the assault she wanted to report (Sarson & MacDonald, 2020c). She was relating her experience to that of Brenda Forbes. Brenda testified that the RCMP failed to respond to her complaint of describing the mass casualty perpetrator's domestic violence and strangulation of his partner Lisa Banfield, and of his possession of illegal guns.¹⁷

Torture by Violent Policemen. Systematic sexism, harassment, sexual assaults of female RCMP members, and the preventable femicide of Susie Butlin were discussed during a MCC roundtable in the afternoon of July 20, 2022.¹⁸ Such outrageous patriarchal-misogynistic injustices that ‘otherizes’ women's inequality, dismissing the severity of violent RCMP members and its culture does not reveal other gaps perpetrated by policemen that amounts to torture as

¹⁷ See <https://masscasualtycommission.ca/files/fd-source-materials/COMM0003883.pdf>

¹⁸ See <https://masscasualtycommission.ca/calendar/event/66642/>

described by Lynn, who we introduced earlier. Lynn explained that (Sarson & MacDonald, 2021b):

One day I saw policemen in the hallway—my heart raced—I was being rescued! Then more shock, shattered hope, and devastation; my trust in humanity was utterly destroyed. The cops weren't there to rescue me; they were my next perpetrator-clients. In one foul swoop all hope of being rescued disintegrated into an over-whelming sense of hopelessness, helplessness, powerlessness, and despair.

The policemen became regulars, coming in pairs, six plus four—ten in total—from two different police forces...Policemen raping me with their police shirts on, numbers on badges with sharp points stuck into the cold flesh of my chest; policemen terrorizing me with their power, their bodies, their words, and with their guns.

Violent oral rapes followed by cold, hard...guns stuck deep into my throat. Three clicks: click...click...click pierced my left ear as it picked up the threatening death sounds of a gun clicking as it was cocked. More terror as their ice-cold voices punctured me, "Stay still bitch or I'll kill you!" Guns sticking out of open holsters were placed on the floor next to the bed for me to see—more terror. Buddy stood against the wall in brown pants with his camel beige jacket pulled aside to expose his gun—more terror!

Although Lynn did not know who the policemen-perpetrators were, just weeks after we began supporting Lynn's recovery, a man called her late at night warning her to shut up. Although terrified, with our support, Lynn telephoned the Bible Hill RCMP to report this threat. Her call was never returned. We wondered how 25 years could pass and it was known she was disclosing the NST victimizations suffered had a police connection. How long does stalking last—years it seems.

As despairingly as this knowledge of a culture of corruption is, we need to respond to the research data of the value of red flag warnings. We suggest that "red flag files" be a routine RCMP and policing practice. For example, when checking with a Transition House staff whether they were given a police-file number when they asked police to investigate the safety of a woman, we were told this was not done. We suggest this be done to alert whether red flag warning signs are occurring. A file number would provide evidence of serial violence.

We share John Sewell with Christopher J. Williams' recommendations in their 2021 book, *Crisis in Canada's Policing*. These are hiring individuals with specialized skills and not necessarily from within a police force, increased transparency about police work, legislation that permits officers to be suspended without pay, and other disciplinary procedures handled by boards, implementation of pre-charge screening by crown attorneys, increase women officers but in an environment of equality, and appointment of knowledgeable people to police boards.

RECOMMENDATION 6, addressing intimate partner, family, or gender-based violence as being both *victimization and traumatization informed*.

Our experience of supporting women who survived NST victimizations required we expand the term “trauma informed” to *victimization-traumatization informed*. Women needed to detail the NST suffered before being able to process their consequential trauma. This term validates that the crime of intimate partner, family, or gender-based violence was committed against them—that it was not their fault they were NST victimized (Sarson & MacDonald, 2021b).

A Three-Step Process. For example, on April 18, 2020, Andrew MacDonald was shot and wounded inside his car by the mass casualty perpetrator (Ryan, 2022a). This experience illustrates the necessity to understand an experiential three step process of: a) a victimization crime was perpetrated against him, b) he suffered traumatization impacts as a consequence of the victimizing crime, and c) a caring environment needs to provide respectful hearing of both the crime and its traumatizing consequences he suffered.

This expert paper requested by the MCC, “Impaired Daily Functioning Survivors and the Aftermath of the Attack on Utøya Island” (Dyb, et al., 2022), described a three-step process:

1. The *victimization* was a crime described as terrorism with guns and murders;
2. *Traumatization consequences* of those who survived are described as impaired ability to do household chores and to take part in personal interests and activities; impaired cognitive functioning including lower academic performance and social-emotional-behavioral problems. Sleep problems and insomnia which can impact everyday functioning, fatigue, physical responses such as frequent or tension-type headaches or weekly and daily migraines, palpitations, pain including lumbar pain, and mental wellness challenges;
3. *A caring environment that respected hearing of both the crime and its traumatizing consequences* is captured in statements validating that the support given when testifying of their *victimizations* helped them regain control and exercise power over the criminal perpetrator. Following this three step process, support to cope with ongoing aftermath consequences was necessary.

This is our experiential explanation as to why the definition of “trauma-informed” presented by the MCC on March 9, 2022,¹⁹ needs to consider a three-step process.

Having previously identified NST as a specific form of intimate partner, family, and gender-based crime perpetrated against Nova Scotia women as adults or as children is an obligation. Because women NST victimized do not have the caring environment that respects hearing of both the NST crime and its traumatizing consequences. The reason is that when acts of torture are perpetrated by non-State actors it remains discriminatorily unnamed as torture in the *Criminal Code of Canada* (Justice Laws Website, 2022).

To develop insightful responses Nova Scotians and first responders need to understand the continuum of intimate partner, family, and gender-based violence. Integration into undergraduate

¹⁹ See MCC (2022, May 4). Public hearings Volume 18. https://masscasualtycommission.ca/files/documents/transcripts/EN_20220504_PublicHearings_Transcript.pdf?t=1654897321

curricula is necessary for all first responders such as healthcare providers, policing and legal professionals (Sarson & MacDonald, 2012a; 2012b) and into community newsletters,²⁰ with a dedicated section that explains relational violence, red flag warnings, and explains reporting processes. So Nova Scotians can contribute to ending all forms of intimate partner, family, gender-based, and mass casualty violence that results in femicides and homicides.

RECOMMENDATION 7, expand sexualized human trafficking educational programs to include non-State torture and ensure the *Judges Act* is Nova Scotia’s professional standard.

Given that woman and girls predominately suffer victimizing sexualized exploitations of trafficking or prostitution, we have expanded the knowledge about human trafficking victimization in Nova Scotia by presenting Lynn’s ordeal of spousal torture and trafficking and prostitution victimizations. The United Nations research on human trafficking includes spousal trafficking in their typology (UNODC, 2014).

Furthermore, in our “kitchen table” research, other Nova Scotian women explained they survived family-based torture and trafficking involving non-family informal networks (Sarson & MacDonald, 2021b). Their victimizations began when toddlers. They suffered for years or even decades that reached into their adulthood because family-based conditioning normalized torture and trafficking as relational adult-child norms, then as adult-to-adult-child norms. From our book, *Women Unsilenced Our Refusal To Let Torturer-Traffickers Win* (2021b, pp. 289-290), we share Sara’s story of sexualized trafficking and torture that was perpetrated in Nova Scotia by a man with well-established political positional power. Sara said:

At 14 made to go with “G”, my dad’s friend...He took me many times. He terrorized you in the car. He hits you on the side of the head...almost knocks you right out the side door...He would get mad if you cried...choke you until you would almost pass out...punch you...say he would kill you. He would laugh a scary laugh, looks scary in his eyes.

On the boat he would get the shock things out [electric shocking torture], throw you down...hits you, make all kinds of bruises with tools like whips, chains, knives and guns [physical tortures]. He blindfolds you so you don’t know what he’s doing [psychological torture]. He sticks a broken bottle in your ribs and sucks the blood. He says “smile.” He had a big black dog [bestiality]. He gets food...does not give it to you, no water either [deprivation torture]. He puts you in a cage, throws you overboard...drags the cage in the water with the boat. He drowns you [water torture]. He pulls you up, throws you on the deck rapes you...you were supposed to say you wanted more [sexualized and mental torture].

There is emerging evidence that family members are traffickers (Canadian Centre to End Human Trafficking, n.d.a). In the report, *Survivors’ survey Full report 2017* by the Canadian

²⁰ For an example see: *Municipality of Colchester Newsletter* of March 2022: <https://www.colchester.ca/colchester-newsletters/3548-county-newsletter-march-2022/file>

Centre for Child Protection (2017), it examined 43,762 images that classified as child pornography, seven percent were of babies or toddlers who were being exploited online, subjected to severe mental and physical pain and suffering that amounted to torture intentionally inflicted. Furthermore, girl children were primarily victimized and their victimization differed from that of boys in that the victimization of girls can continue into adulthood.

The Government of Canada supports the Canadian Centre to End Human Trafficking,²¹ and has supported the Canadian Centre for Child Protection since 2004, under the *National Strategy for the Protection of Children from Sexual Exploitation on the Internet*. As well, the RCMP is involved under their *National Child Exploitation Coordination Centre*.²² Therefore, it is essential that Nova Scotians' learn that human trafficking can be family-based, can involve an intimate partner, babies, children, and informal networks, and that traffickers cross all social classes.

Nova Scotia's Human Trafficking Culture: Present and Past. Based on 2019 statistics, Nova Scotia had the highest rate of police-reported human trafficking incidents in Canada, along with the highest rate reported by the province since 2009 (Statistics Canada, 2021). Truro is a destination town identified on the sexualized human trafficking Nova Scotia-New Brunswick corridor (Canadian Centre to End Human Trafficking, n.d.b). Accompanying this reality is the herstorical fact that in 1910, of 100 Canadian girls trafficked into the U.S. one-third came from Nova Scotia (Roe, 1910). Such herstorical and present day facts suggest a Nova Scotia socio-cultural need to expand provincial and federal knowledge about sexualized exploitation of human trafficking victimizations, ending the demand by criminalizing the buyers.

Judges Act. Amendments in the *Criminal Code* to the *Judges Act* came into Royal Assent on May 6, 2021, and is described by the Department of Justice Canada (2021) that:

In order to be eligible for appointment to a provincial superior court, candidates must agree to participate in continuing education on matters related to sexual assault law and social context, which includes systemic racism and systemic discrimination. Social context is influenced by such societal factors as gender, race, ethnicity, religion, culture, sexual orientation, differing mental or physical abilities, age, and socio-economic background, and familiarity with issues related to family violence and violence against children.

The amendments to the *Criminal Code* mean that judges are required to provide written reasons, or enter reasons into the record, when deciding sexual assault matters. This will increase transparency in these cases.

The *Criminal Code* prohibits all non-consensual sexual activity, provides a clear definition of consent, identifies when consent cannot be obtained, and sets out rules for the admissibility of certain types of evidence to deter the introduction of discriminatory myths and stereotypes about how survivors of sexual assault are expected to behave.

²¹ See National Strategy to Combat Human Trafficking – Annual Report 2019-2020, Public Safety Canada, <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2019-ntnl-strtg-cmbt-hmn-trffckng/index-en.aspx>

²² See RCMP Online child sexual exploitation, <https://www.rcmp-grc.gc.ca/en/online-child-sexual-exploitation>

The amendment of the *Judges Act* and its expectations of a judge to be appointed to the provincial superior court are aimed to transform all future legal practitioners' attitudes, practices, and language embedded in Nova Scotia's history of patriarchal misogyny as shown in the Social Formation Model, Figure 5. For example, in 2020, prior to the date of the amendment of the *Judges Act*, a mother of a 16 year old daughter who was trafficked recounted to us that when in Court with her daughter, she spoke to the Crown explaining that,

I don't like my daughter being referred to as a sex worker. Responding the crown said, 'Sex worker is the term used in all these cases...that is the language the judges are expecting...it's the language used as opposed to...sexual exploitation.'

Nova Scotians should expect legal structures not use or dictate practices that would enforce attitudes that sexualized human trafficking or exploitation is consensual "sex" or "work," nor refer to a girl or woman who is trafficked or exploited into prostitution as a "sex worker." Sexualized human trafficking and exploitation are *Criminal Code* violations,²³ and "*no consent in law*" to sexual activity identifies this occurs when a perpetrator is "abusing a position of trust, power or authority."²⁴ Nova Scotians must expect that predation is responded to as a crime. It is totally unacceptable to read in Rose Murphy's article entitled "Advocates call for action to protect Indigenous women from sexual exploitation, trafficking" (2022), in which Cheryl Copage-Gehue comments that at the [Mi'kmaw Native] Friendship Centre, "When we're hosting our youth groups, our grandmothers literally have to go out and shoo these men away that are trying to traffic our young women as they're coming out." Such criminal predatory demand must not be an acceptable Nova Scotian cultural, community, or normalized as a buyer's practice.

RECOMMENDATION 8, make known that animal cruelty and bestiality can be red flag warnings linked to men's acts of gender-based, family, and intimate partner violence.

Research indicates that people who abuse animals are five times more likely to commit violent crimes against humans and school mass schooling killers had histories of torturing and killing animals (People for the Ethical Treatment of Animals, n.d.; Pacelle, 2022). Although a search of this expert paper sent to the MCC entitled, "Survivors and the Aftermath of the Terrorist Attack on Utøya Island," (Dyb, et al., 2022), does not identify a link to cruelty against other species, this perpetrator is identified as having inflicted abuse of bees by drowning them (Voice for the Animals Foundation, 2022). This recommendation reminds Nova Scotians that violence against animals needs to be considered a potential red flag warning of future violence against people including mass casualty violence. We include this violent link because it may offer a reflective criminal understanding of why the mass casualty perpetrator killed and maimed pet dogs during his brutal rampage of femicides and homicides.

²³ See section 279.011 (1), <https://laws-lois.justice.gc.ca/eng/acts/c-46/page-39.html>

²⁴ See section 273.1, <https://www.justice.gc.ca/eng/cj-jp/victims-victimes/def.html>

Sections of the *Criminal Code of Canada* identify the commission of bestiality as an indictable offence.²⁵ Humane Canada wrote that in June 2019, Bill C-84, An Act to amend the *Criminal Code* (bestiality and animal fighting), received Royal Assent, effectively becoming law (Humane Canada, 2022). Our 29 years of work provides us with Nova Scotian women's voiced evidence that animal cruelty and bestiality had been repetitive acts that non-State torturers intentionally inflicted against them as girls and or as women. Jane (Stafford) Hurshman named forced bestiality as a form of victimization she suffered, yet when RCMP Staff Sergeant Williamson took her statement he testified he did not think including the violence—the NST violence—Jane had been subjected to, which included bestiality, as relevant. Bestiality is included in our lists of acts of “classic” non-State torture, Figure 1. Bestiality was also spoken of by Sara when exploited, trafficked, and tortured when held in captivity on the torturer's boat. This evidence is presented to explain the complex severity of pain and suffering, degradation, and dehumanization that violent Nova Scotian men do perpetrate against women and girls.

RECOMMENDATION 9, promote human rights education at all structural / institutional levels to achieve and uphold the human rights equality of women and girls.

Our suggestions include:

- Incorporating the United Nations Declaration on Human Rights Education and Training into relational programs to promote universal human equality;²⁶
- Utilize resources already developed such as:
 - “Promising and Model Crime Prevention Programs – Volume 1;²⁷
 - “Global Programme to End Violence Against Children” developed by the United Nations Office on Drugs and Crime;²⁸
 - Investigate “UN for Kids”;²⁹
- Develop educational frameworks that are herstorical as well as historical to promote equality and remove patriarchal-conditioned inequalities. Consider the work to “End Sexism in Schools” in English Curriculum in the UK where, for example, research reveals only one or no whole text by female writers are taught.³⁰

RECOMMENDATION 10, is that Canada champion interventions aimed to prevent and end all forms of gender-based violence against women and girls.

²⁵ See sections under 160, [https://laws-lois.justice.gc.ca/eng/acts/c-46/section-160-20190621.html#:~:text=160%20\(1\)%20Every%20person%20who,offence%20punishable%20on%20summary%20conviction](https://laws-lois.justice.gc.ca/eng/acts/c-46/section-160-20190621.html#:~:text=160%20(1)%20Every%20person%20who,offence%20punishable%20on%20summary%20conviction)

²⁶ See <https://graduatewomen.org/what-we-do/policy-advocacy/advocacy-news/un-declaration-on-human-rights-education-and-training/#:~:text=In%20December%202011%2C%20the%20UN,human%20rights%20and%20fundamental%20freedom>

²⁷ See Public Service Canada, <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/prmsng-mdl-vlm1/index-en.aspx>

²⁸ See <https://www.unodc.org/unodc/justice-and-prison-reform/endvac.html>

²⁹ See <https://www.ungeneva.org/en/un-for-kids>

³⁰ See <https://endsexismschools.org.uk/gender-in-the-ks3-english-curriculum/>

Canada can champion the following initiatives:

1. **Adoption of a declaration to address gender-based violence that manifest as torture inflicted by non-State actors.** On May 19, 2022, we participated in the virtual side event “Gender-Based Violence as Torture Inflicted by Non-State Actors,” during the 31st Session of the Commission on Crime Prevention and Criminal Justice at the United Nations, Vienna. Sponsored by the governments of Finland and Honduras, and the Alliance, a non-governmental organization (NGO) with a working group on gender-based violence as torture inflicted by non-state actors (NST), of which we are members.³¹ The aim of this side event was that UN State parties work together to create a declaration as a model strategy to promote global awareness and end non-State torture crimes perpetrated against millions of women and girls globally (International Association of Democratic Lawyers (IADL), 2022). Canada can become a “champion” State party in the creation of such a declaration.
2. **The adoption of the “Every Woman Treaty” initiative.** Canada was the leading United Nations member State facilitating the adoption of a Special Rapporteur on Violence against Women, its Causes and Consequences position. In 2012, Rashida Manjoo, previous United Nations Special Rapporteur on violence against women, identified the need to adopt a comprehensive international convention on violence against women by creating a legally binding instrument that set normative standards and frameworks, on the prevention, punishment, and eradication of all forms of gender-based violence against women (UN Women, 2012).
In 2015 the Every Woman Treaty campaign,³² grew out of Rashida Manjoo’s recommendation, spurred on by women’s rights activists at Harvard’s Carr Center for Human Rights.³³ Women’s rights activists from 128 countries released the first draft for a global legally binding treaty to end violence against women and girls in 2021.³⁴ They called on United Nations State parties to authorize this as the first legally binding human rights instrument centered on promoting knowledge development and prevention to end all forms of violence against women and girls. We ask that the Government of Canada take a feminist-based leading role as it did with the initiation of the position of the Special Rapporteur on violence against women, by promoting the adoption of a global and legally binding treaty to prevent and end all forms of gender-based violence against women and girls.

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³¹ See <https://crimealliance.org/what-we-do/nst/>

³² See <https://everywoman.org/>

³³ See <https://everywoman.org/our-story/>

³⁴ See <https://everywoman.org/drafttreaty/>

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